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Date: November 2, 2005

Pages: - 2 -  
(Including Cover)

To:	Examiner CALDWELL, Andrew T.
Re:	Appln Serial No. 10/817,654
Dept./Co.:	U.S. Patent Office,
Fax:	571-273-8300
Phone:	
From:	Jeffrey A. Proehl, Reg. No. 35,987
Ref:	Atty Docket No. P1606US01
Fax:	605-232-2612
Phone:	605-232-1967

## MESSAGE:

Transmitted herewith, please find:

Response to Restriction Election

CERTIFICATION UNDER 37 CFR §1.8: The undersigned hereby certifies that this correspondence is being transmitted, via facsimile, to the Commissioner of Patents, Washington, D.C., on the date indicated above, and to the proper USPTO facsimile telephone number, shown above.

Name: Lori Boulware

Signature: A handwritten signature in black ink, appearing to read "Lori Boulware", written over a horizontal line.

*The information contained in this transmission is intended for use of the individual or entity named above. If reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone and return the original transmission to us at the above address via the U.S. Postal Service.*

NOV 02 2005

Patent

Docket No. P1606US01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of : SMYTH, Kim C.  
Serial No. : 10/817,654  
Filed : 04/02/2004  
Art Unit : 2142  
Examiner : CALDWELL, Andrew T.  
Title: ON-DEMAND DATA STREAM PARCELING

Mail Stop Amendment  
Commissioner for Patent  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESTRICTION ELECTION

Dear Sir:

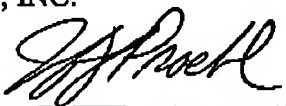
This is in response to the Restriction Requirement dated October 18, 2005, for which the three-month shortened statutory period expires on November 18, 2005.

In response to the Election / Restriction Action, Applicants hereby elect, without traverse, Group II comprising claims 10 through 19.

In the event any issues arise during the prosecution of this application which may readily be resolved via telephone, the Examiner is kindly invited to contact the undersigned Gateway patent agent at the telephone number listed below.

Respectfully submitted,

GATEWAY, INC.

By   
Jeffrey A. Proehl (Reg. No. 35,987)  
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Date: Nov. 2, 2005